

In re Application of: ULRICH et al

Application No. 09/637,843

Filed: August 10, 2000

For:

PRODUCTS COMPRISING CORN OIL AND CORN MEAL OBTAINED FROM HIGH OIL CORN

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is a response to a Restriction Requirement in the subject application.

☐ Applicants claim small entity status of this application under 37 CFR 1.27.☒ Petition for Extension of Time☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00 (enclosed).☒ Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.☒ No additional claim fee is required.☐ Other:

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	26	MINUS	75	=	x 9=	\$	x 18=	\$0.00
INDEPENDENT	4	MINUS	15	=	x 42=	\$	x 84=	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 140=	\$	+ 280=	\$
					TOTAL	\$	TOTAL	\$0.00

☐ Please charge my Deposit Account No. 12-1216 in the amount of \$. A duplicate copy of this sheet is attached.☐ A check in the amount of \$ is attached.☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

By

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Amendment or ROA Transmittal (Revised 10/25/01)

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TC 1700



PATENT
Attorney Docket No. 211174

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ULRICH et al.

Application No. 09/637,843

Art Unit: 1761

Filed: August 10, 2000

Examiner: C. Paden

For: **PRODUCTS COMPRISING CORN OIL AND CORN MEAL OBTAINED
FROM HIGH OIL CORN**

12/C
03-31-02
DW

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
Washington, D.C. 20231

To the Commissioner:

In response to the Office Action mailed February 15, 2002, please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 26-72 and claims 74-75.

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TC 1700

REMARKS

In response to the restriction requirement mailed February 15, 2002, the applicants elect, without traverse, the invention of Group I (Claims 1-25 and 73) for further prosecution on the merits. The Applicants' election of Group I is without prejudice to allow the applicants to pursue, in one or more continuing applications, the non-elected inventions as recited within Group II (Claims 26-35), Group III (Claims 36-44 and 74), Group IV (Claims 45-53 and 75), Group V (Claims 54-58) and Group VI (Claims 59-72).

In response to the restriction of claims 6, 7, 16, 25, 28, 34, 35 and 43 as stated on page 4 of the Office Action, applicants elect, without prejudice, oilseed meal as the elected species for claims 6 and 7; oil as the elected species for claim 16 and blended food as the elected species for claim 25. Applicants do not understand the species restriction as drafted. If the relevant independent claims, as drafted, are allowable, applicants believe that a species selection within each of the above-referenced claims should not be required.